



# MANCHIN CHAMPIONS FOR COAL

*Senator Manchin has introduced eleven pieces of federal legislation specifically supporting the coal industry, coal miners and mine safety*

- **“EPA Fair Play Act”** (Sen. Manchin’s first bill as U.S. Senator in February 2011): Prevents the EPA from retroactively vetoing mine permits.
- **“Electricity Security and Affordability Act”** (January 9, 2014): Requires the EPA to base carbon dioxide emissions rules for new fossil fuel plants on levels that have been achieved with commercially-demonstrated technologies and requires Congress to approve any EPA rules that would control carbon dioxide emissions from existing coal plants.
- **“ACCTION Act”** (March 25, 2014): Provides tax incentives to help the coal fleet invest in efficiency upgrades, develop technologies for Carbon Capture and Storage and pursue ways to utilize captured carbon emissions to boost economic prosperity.
- **“Coalfield Accountability and Retired Employee Act”** (March 6, 2013): Protects the promised lifetime pension and health care benefits for thousands of retired miners and their families.
- **“Fair Compliance Act”** (November 2011): Creates reasonable timelines and benchmarks for utilities to comply with two major EPA rules to protect jobs and keep utility rates stable.
- **“Clean Water Cooperative Federalism Act”** (October 2011; Also introduced as an amendment in May 2013): Reins in EPA overreach under the Clean Water Act to protect water quality while also supporting economic growth and job creation.
- **“American Alternative Fuels Act”** (May 2011; Also reintroduced in 113<sup>th</sup> Congress): Repeals a current law that prohibits the federal government, including the U.S. military, from purchasing fuel produced from alternative fuels, including coal.
- **“Energy Tax Prevention Act”** (March 2011): Permanently suspends EPA efforts to regulate greenhouse gas emissions.
- **“EPA Stationary Source Regulations Suspension Act”** (January 31, 2011): Protects jobs and coal and manufacturing industries by suspending EPA regulation of greenhouse gases from stationary sources for two years.
- **“Coal Residuals Reuse and Management Act”** (October 2011): Ensures coal is safely disposed.
- **“Robert C. Byrd Mine and Workplace Safety and Health Act”** (January 2011; January 2012): Update mine safety rules.
- **S.J.RES.37** (June 20, 2012): Stops the EPA from implementing the Utility MACT rule, which is one of the most expensive emissions-reduction rules in the EPA’s history for coal-fired plants.

## INVESTING IN COAL

Sen. Manchin drafted legislation that would require the Department of Energy to allow available funding for advanced fossil fuel projects to be distributed for development projects. There are \$8 billion in loan guarantees and \$1.7 billion in grant funds to be used. Sen. Manchin will officially introduce the bill in Fall 2014.

**LEGAL ACTION** In unprecedented legal action during 2010, then-Governor Manchin sued the EPA for overstepping its boundaries regarding mountaintop removal practices in West Virginia’s coal industry to ensure states have the power to oversee, regulate and protect their citizens and resources.

## **DEFENDING COAL'S FUTURE**

Sen. Manchin brought members of the West Virginia State and federal delegation to the White House to meet with EPA Administrator Gina McCarthy on August 1, 2013, to discuss the negative impact the EPA's overreaching regulations have had on coal production. Sen. Manchin has invited Gina McCarthy to visit West Virginia. To date, Ms. McCarthy has not visited.

Sen. Manchin met with John Podesta on June 19, 2014, who leads the Administration's climate change policy initiatives to discuss the existing source performance standards and the **"CARE ACT"**.

Sen. Manchin and Sen. Whitehouse (D-RI), the leading climate change activist in the Senate, have agreed to work together to find solutions that balance U.S. energy needs and global environmental concerns. During a joint speech on the Senate floor, Sen. Whitehouse said, "I agree with my friend from West Virginia that we must address climate change in a way that protects jobs in all sectors and ensures grid stability. Fossil fuels like coal and natural gas are indeed going to be an important part of America's energy mix for decades."

As a member of the Senate Energy Committee, Sen. Manchin voted against Mr. Ronald Binz's nomination to be appointed to the Federal Energy Regulatory Commission (FERC) due to Binz's previous anti-coal actions. In addition, in July 2014, Sen. Manchin helped broker a deal between Senate leaders and the White House to ensure FERC Commissioner Cheryl LaFleur remained Chair for an extended period of time so that newly nominated member Norman Bay could gain the experience necessary on the Commission before becoming FERC Chairman.

Sen. Manchin wrote an op-ed for Fox News on June 6, 2014 entitled, "EPA proposal all wrong: US must strike balance between energy needs, green dreams" that outlined his concerns about the EPA proposals under Section 111(d) of the Clean Air Act that would limit carbon emissions standards for existing fossil fuel plants.

## **PROTECTING MINERS' HEALTH AND SAFETY**

Sen. Manchin secured \$550,000 in 2013 and \$1.25 million in 2012 in federal dollars to fund mine safety training in West Virginia.

As Governor, Manchin provided a \$3,000 across-the-board raise for Miners, Health, Safety and Training inspectors and instructors. In the immediate aftermath of the Upper Big Branch disaster, then-Governor Manchin created the Mine and Industry Safety Hot/Tip Line to allow miners to anonymously report unsafe workplace conditions while protecting their job security.

In the wake of the Sago and Aracoma mine disasters, then-Governor Manchin wrote and signed into law historic mine safety legislation, increasing the number of emergency rescue chambers in mines to more than 300 locations in more than 180 mines and placing more than 40,000 new personal breathing devices (self-contained self rescuers) in underground mines.

Sen. Manchin submitted a statement to the Senate Health, Education, Labor and Pensions Committee hearing on July 22, 2014 in response to the 2013 Center for Public Integrity (CPI) report on black lung benefits and how unethical legal and medical practices can harm black lung claimants.

During a Senate Health, Education, Labor and Pensions (HELP) Committee hearing to examine efforts to improve mine safety in light of the Upper Big Branch anniversary on March 31, 2011, Sen. Manchin recommended important mine safety improvements.

Since February 2014, Sen. Manchin has worked closely with the Health Resources and Services Administration (HRSA) and the Department of Health and Human Services (HHS) to ensure West Virginia receives sufficient black lung funding so miners suffering from the disease get the treatment and medical services they need. He has worked with the Department of Labor to help ensure miners have access to the medical records needed to prove their eligibility for black lung federal benefits.

Sen. Manchin also sent a letter to the Office of Management and Budget on July 29, 2014 to request adequate funding to address the growing backlog of black lung cases, which is overseen by the U.S. Department of Labor's Office of Administrative Law Judges.

